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UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/053,047	11/09/2001	Michael J. Whalen	032167.001

Kimberly A. Chasteen
Williams Mullen Clark & Dobbins
Suite 210
One Old Oyster Point Road
Newport News, VA 23692



CONFIRMATION NO. 1649

FORMALITIES LETTER



OC000000007670794

Date Mailed: 03/19/2002

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Page(s) 5,6, and 7 of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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A copy of this notice MUST be returned with the reply.

Hayco

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Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

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#3

THE UNITED STATES PATENT AND TRADEMARK OFFICE
APPLICATION FOR UTILITY PATENT APPLICATION

Applicants: Michael J. WHALEN
Filing Date: 11/09/2001
Title: PORTABLE CONTAINER FOR PAINT, ROLLER AND BRUSH
Attorney Docket No.: 032167.0001

To the Commissioner of Patents and Trademarks
Washington, D.C. 20231

Authorization to Charge Deposit Account Pursuant to 37 CFR 1.25

Please charge the Petition Fee under 37 CFR 1.17(h) of the above referenced
Patent Application to USPTO Deposit Account Number 50-0766.

Authorized Signatory:

Kimberly A. Chasteen 3/29/02
Kimberly A. Chasteen Date
Reg. No. 36,755

This Authorization is submitted in duplicate.

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Certificate under 37 CFR 1.10 of Mailing by Express Mail

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3-29-02
Date of Deposit

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to **"Box Initial Patent Examination-Commissioner for Patents-Washington, D.C. 20231."**

Sheldon D. Shorter
Printed or typed name of person signing certificate

SD Shorter
Signature of person signed the certificate

3-29-02
Date of signature